

SEC. 520B. NON-DISCRIMINATION AND SERVICE IN THE ARMED FORCES.

(a) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by inserting after section 653 the following new section:

“§ 654. Non-discrimination and service in the armed forces

“Service in the armed forces shall be open to all persons who are able meet the standards and eligibility criteria for military service, without regard to race, color, national origin, religion, or sex (including gender identity and sexual orientation).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 653 the following new item:

“654. Non-discrimination and service in the armed forces.”.

SA 3974. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 704. MODIFICATIONS TO TRICARE OPERATIONS MANUAL WITH RESPECT TO COVERAGE OF AUTISM THERAPY.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall modify the operations manual under the TRICARE program, or successor manual of the Department of Defense, with respect to coverage of autism therapy as follows:

(1) To allow a covered beneficiary one year to obtain a confirmatory diagnosis of autism spectrum disorder.

(2) To require that the person completing the Pervasive Developmental Disorder Behavior Inventory Teacher Form meet the criteria in the Pervasive Developmental Disorder Behavior Inventory Manual regarding frequency and duration of contact with the client.

(3) To require that the services provided for autism spectrum disorder focus primarily on measuring outcomes for the covered beneficiary as the primary recipient of services.

(4) To eliminate the prohibition on billing for services provided outside of the home, clinic, office, school, or via telehealth.

(5) To require that medically necessary services authorized in a school setting be delivered by a trained behavioral provider as determined by the applied behavior analysis supervisor.

(b) DEFINITIONS.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

SA 3975. Mrs. GILLIBRAND (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 744. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the “National Academies”) for the National Academies to carry out the activities described in subsections (b) and (c).

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) not later than 60 days after the date of the enactment of this Act.

(b) ANALYSIS BY THE NATIONAL ACADEMIES.—

(1) ANALYSIS.—Under an agreement between the Secretary and the National Academies entered into under subsection (a), the National Academies shall conduct an analysis of the effectiveness of the Department of Defense Comprehensive Autism Care Demonstration program (in this section referred to as the “demonstration program”) and develop recommendations for the Secretary based on such analysis.

(2) ELEMENTS.—The analysis conducted and recommendations developed under paragraph (1) shall include the following:

(A) A review of the use by the Department of Defense of the Pervasive Developmental Disorder Behavior Inventory as an outcome measure, in relation to the goals of intervention, and a determination as to whether the Secretary is applying such inventory appropriately under the demonstration program.

(B) A review of the raw baseline and follow-up data from providers, including an assessment of how the data were scored and an analysis of the data utilized by the Department in any reports submitted by the Secretary to Congress with respect to the demonstration program.

(C) An assessment of the methods used under the demonstration program to measure the effectiveness of applied behavior analysis in the treatment of autism spectrum disorder.

(D) A review of any guidelines or industry standards of care adhered to in the provision of applied behavior analysis services under the demonstration program, including a review of the expected health outcomes for an individual who has received such services.

(E) A review of the expected health outcomes for an individual who has received applied behavior analysis treatments over time.

(F) An analysis of the increased utilization of the demonstration program by beneficiaries under the TRICARE program, to improve understanding of such utilization.

(G) Such other analyses to measure the effectiveness of the demonstration program as may be determined appropriate by the National Academies.

(H) An analysis on whether the prevalence of autism is higher among the children of military families.

(I) The development of a list of findings and recommendations related to the measurement, effectiveness, and increased understanding of the demonstration program and its effect on beneficiaries under the TRICARE program.

(c) REPORT.—Under an agreement between the Secretary and the National Academies entered into under subsection (a), the National Academies, not later than 270 days

after the date of the execution of the agreement, shall—

(1) submit to the congressional defense committees a report on the findings of the National Academies with respect to the analysis conducted and recommendations developed under subsection (b); and

(2) make such report available on a public website in unclassified form.

(d) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

SA 3976. Ms. DUCKWORTH (for herself, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 838. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of any procurement carried out in connection with a major defense acquisition program.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if the cost of such component articles, materials, or supplies—

(A) supplied not later than the date of the enactment of this Act, exceeds 60 percent of cost of the manufactured articles, materials, or supplies procured;

(B) supplied during the period beginning January 1, 2024, and ending December 31, 2028, exceeds 65 percent of the cost of the manufactured articles, materials, or supplies; and

(C) supplied on or after January 1, 2029, exceeds 75 percent of the cost of the manufactured articles, materials, or supplies.

(2) EXCLUSION FOR CERTAIN MANUFACTURED ARTICLES.—Paragraph (1) shall not apply to manufactured articles that consist wholly or predominantly of iron, steel, or a combination of iron and steel.

(3) RULEMAKING.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue rules to determine the treatment of the lowest price offered for a foreign end product for which 55 percent or more of the component articles, materials, or supplies of such foreign end